1947. **K** File No. Apt. DWR 47

Examined Ch 29/11/47 Legal DEPARTMENT

C BRANCH

Subject:— Appointment and leave of the D. G. P. P and their Assistants- Dharwar District.

P. 46 C

File No. Apt. DWR/47

Std. Book L. Bldg 36-B

346-C

CONTENTS.

Legal Department File No. Apt: D.W.R. 47.

Sr. No.	Compilation No.	Subject	Pages.
1.	2548. 15-3-47.	L.D. Notfn. reg: Appt. of Mr. A.M. Ishaq.	1-7
2.	9777 1.10.47.	LD Notfn. reg: Appt. of Sub E.P. Hubli —	9-29
3.	11193. 25-11-47.	LD. Notfn. reg: Appt. of Mr. B.A. Peerzade. 31-41	
4.	9441. 24.9.47	LD Notfn. reg: appt. of Mr. R.M. Patil — (65-66)	43-63

~~105~~ 53

Subject: Appointment of II Assistant Public Prosecutor Dharwar.

No.MIC.3R.1034 Letter. Dharwar, 27/1/1947.

To

The Secretary to Government,
Legal Department, Bombay.

Ref: Your No.9495 of 28/12/1946.

The following 3 persons have been suggested ~~by~~ for appointment in the post of II Assistant Public Prosecutor vice Mr. V.D.Amrani.

1. Mr.A.M.Khazi, B.A., LL.B.
2. " B.S.Patil, B.A., LL.B.
3. " R.V.Kollali, B.A., LL.B.

Of these, Mr.A.M.Khazi has mainly criminal practice. He is reported to have conducted about half a dozen appeals before the Sessions Judge satisfactorily. He is considered sufficiently experienced and fit to hold the post. The present 1st Assistant Public Prosecutor Mr.M.M.Jamadar has recently sent application to you stating that he is going to resign or remain on leave if he is not appointed as Public Prosecutor (Please vide my endorsement No. MAG SR 1034 dated 8-1-(947)) If his resignation becomes effective it will be necessary to appoint a Muslim pleader in one of the posts. Mr.Khazi may in that case be appointed. A/

Mr. B.S.Patil is a Maratha. He is also reported to be an experienced and competent lawyer both in criminal and civil law. If Mr.Jamadar's resignation is not effective, Mr.Patil may be appointed in preference to Mr.Khazi. B/

I enclose herewith an application from Mr.Kollali, who is reported to have worked satisfactorily whenever he was appointed as II Assistant Public Prosecutor and is said to be a competent man. As he is a Brahmin, however, I have not proposed him in preference to the others.

Recd on. 27-1-47.

BD.

District Magistrate, Dharwar.

Through the District Judge, Dharwar w.cs

No.
District Court, Dharwar,
27th January 1947.

Forwarded with compliments to the Secretary to Government, Legal Department, Bombay.

2. The undersigned agrees with the recommendations of the District Magistrate.

District & Sessions Judge.

[illegible] GOVERNMENT
LEGAL DEPARTMENT
Fd. No.
No. 30 - Confl
Dated 29-1-47

3 -107-

1 39 a.b. Submitted with pp.

2. These papers relate to the appointment of 2nd A.P.P., Dharwar vice Mr. G.D. Armani whose term of office expired on 12th January 1947.

3. The D.M., Dharwar, who was asked to submit proposals 1.53 a.b to fill in the vacancy suggests the following three persons :-

(1) Mr. A.M. Khazi, B.A., LL.B.,

(2) Mr. B.S. Patil, B.A., LL.B.,

(3) Mr. R.V. Kollali, B.A., LL.B.,

As regards Khazi he states that he has mainly criminal practice and reported to have conducted a dozen appeals before the S.J. satisfactorily. He adds that he is considered sufficiently experienced and fit to hold the post. He adds that as Mr. M.M. Jamadar has sent in his representation for being appointed as D.G.P. and P.P., Dharwar and in case his resignation becomes effective it will be necessary to appoint a Muslim Pleader in one of the posts and in that case Mr. Kazi may be appointed as 2nd A.P.P., Dharwar.

4. As regards Mr. B.S. Patil, he states that he is a Maratha and also reported to be an experienced and competent Lawyer both in Civil and Criminal Law. He adds that if Mr. Jamadar's resignation is not effective then Mr. B.S. Patil may be appointed in preference to Mr. Kazi. He forwards also the application of one Mr. Kollalli who is reported to have worked satisfactorily, whenever he was appointed 2nd A.P.P., and is said to be a competent man. However, he adds that Mr. Kollali is a Brahmin and hence 1.53 a.b has not proposed him in preference to others. The D.J. Dharwar agrees with the D.M., Dharwar.

5. The representation referred to in the D.M's

letter has already been submitted to Govt. with a remark that as Mr. Mallimath has already been appointed D.G.P., and P.P., it will not be possible to reconsider the representation of Mr. Jamadar and that leave for a period of 6 months has already been recommended to him. and that Mrs. R.M.rPatil, LL.B. has already been proposed vice Mr. Jamadar.

6. In view of the fact that Mr. Jamadar has been given 6 months leave and Mr. R.M. Patil recommended vice him office thinks that the question of Mr. Jamadar's resignation does not arise at this stage. In view of the remarks at A and B of D.M's letter, it is for orders whether Mr. A.M. Khazi or Mr. B.S. Patil should be appointed as 2nd A.P.P., Dharwar.

DMP
31.1.47
Sripad

1/2

A.N.L.R: Govt. orders on the representation may be awaited.

1.2

Seen Yrs Lwg 3/2

Submitted.
2- Govt orders on the representation of Mr. M.M. Jamadar have been received today vide page 19 of the linked case put up slipped V. It has been decided that he should be informed that Govt. has carefully considered his representation and does not see any reason to modify the orders already passed and also leave asked for should be sanctioned.

Mr B.S. Patil may be appt as 2nd Asstt P.P. M 6/2

DMP
5.2.47
.52

6/2

S TOG 57

Mr.R.M.Patil has already been appointed to officiate as 1st Assistant Public Prosecutor, Dharwar, vice Mr.Jamadar on leave. Both the District Magistrate, Dharwar, and the Sessions Judge, Dharwar, have recommended that if Mr.Jamadar resigns his appointment as 1st Assistant Public Prosecutor, Mr.A.M.Khazi be appointed 2nd Assistant Public Prosecutor. In case Mr.Jamadar does not resign, the recommendation of the local officers is that Mr.B.S. Patil be appointed 2nd Assistant Public Prosecutor. Mr.Jamadar has not resigned, it is true, but is being granted six months' leave. It is a long leave, and if Mr.Khazi was to be appointed 2nd Assistant Public Prosecutor in case Mr.Jamadar resigned, I do not understand why he should not be appointed even in this long leave vacancy. In all respects, except perhaps in point of civil practice, there is little to choose between Mr.Khazi and Mr.B.S.Patil. Would office note again why Mr.Khazi should not be appointed?

7/2

Submitted with reference to Secretary's note above.

2. Mr. R. M. Patil has already been appointed to officiate as 1st A.P.P., in the long leave vacancy of Mr. M. M. Jamadar vide orders of Govt. in the linked case. But Mr. Khazi can be appointed as 2nd A.P.P., for a period of three years in the clear vacancy which has occurred through the expiry of the term of Mr. G. D. Armani on 12-1-47. The D.M., Dharwar has pressed the necessity of appointing a Muslim Pleader. The D.J. has agreed with him. If Mr. B.S. Patil is appointed as 2nd A.P.P. all the P.Ps. will be Hindus. Office therefore thinks that Mr. Khazi may be appointed as 2nd A.P.P. Dharwar. This will also alleviate the usual grievance of the Muslim community in regard to these appointments especially as there is little to choose between Mr. Khazi and Mr. B.S.Patil.

10.2.47 Submit A.A.G.R. 10/2 On reconsideration P.T.O.

A.A.L.R. I agree with Secy. that Mr Khaga may be appointed 2nd Asstt P.P. vice Mr Armani whose term has expired. Secy.

Secy HD

Secy ... 11/2 HM(L)

Secy., H.D.
H.M.(L) 26/2
H.P.M.
H.E.(G.S.) 26/2

7/3/47

X 53-GAP
11-2-47

C 8/3

1683
288

To be published in the next issue of the Bombay Government Gazette.

For Secretary to Government.

No. 2548

Legal Department,
Bombay Castle, 15th March 1947.

NOTIFICATION.

The Governor of Bombay is pleased to appoint Mr.A.M.Khazi, B.A.,LL.B., under section 492(1) of the Code of Criminal Procedure, 1898, to be 2nd Assistant Public Prosecutor, Dharwar, for a period of three years with effect from the date he takes over charge of the post. The appointment is subject to the conditions of service laid down in the Bombay Law Officers (Conditions of Service) Rules, 1939.

By order of the Governor of Bombay,

D.V.VYAS,
Secretary to Government.

No. 2549

Legal Department,
Bombay Castle, 15th March 1947.

Copy forwarded with compliments for information to:-

The District Magistrate, Dharwar (with a request to forward the particulars of Mr.Khazi in the appended form),
The District and Sessions Judge, Dharwar,
The District Government Pleader & Public Prosecutor, Dharwar,
Mr.A.M.Khazi, B.A.,LL.B.,Pleader, Dharwar.

By order of the Governor of Bombay,

For Secretary to Government.

No. 145 of 1947 115
Office of the Dist.Govt.Pleader and
Public Prosecutor, Dharwar date 25-3-1947

From

S.S.Malimath, Esqr., B.A.LL.B.,

Dist.Govt.Pleader & Public Prosecutor, Dharwar.

To

The Secretary to Government,

Legal Departments, Bombay.

Sir,

With reference to your No.2548 dated 15-3-1947, I have to inform you that Mr.A.M.Kazi has reported himself to duty on 22-3-1947, which may please be noted.

Yours obediently

S.S.Malimath

Public Prosecutor, Dharwar

D. 29 MAR 1947

3849
29-3-47

L.D

NO. 3849/29-3-47

Submitted with f/p. for information.

2. Await particulars from D.M. Dharwar till 15/4/47. as proposed on f. 60 ante

29/3

Supt. 29/3

AAS.

29/3

11-115-65

Subject: Appointment of Mr. A.M.Khazi, B.A., LL.B.
as Assistant Public Prosecutor.

No.MAG.SR. Letter. Dharwar, 8/5/1947
To

The Secretary to Government,
Legal Department, Bombay.

Ref: Your No.2549/15-3-1947.

The particulars of Mr.A.M.Khazi are sent ~~here~~ in the required form enclosed herewith.

5815
13-5-47.

BB. L. D.
13 MAY 1947

District Magistrate, Dharwar.

L.D

R.I 5815/13-5-47.

Submitted with pp ~~open~~ !

2. Necy "History" Sheet" is prepared and putup below, and a note has also been taken in the "Register of D.G. Ps" × Ship "V"

3. The pp may be filed in Apt Dwr/47.

15/5

Supt 15/5

16/5

AAS.

15 - 119

To

The Collector, Dharwar

Subject: Sanction of leave.

Sir,

I am ill and the doctor has asked me to join the "Bel-Air" Sanatorium at Panchgani. I will be much obliged if three months leave is granted to me. In anticipation of leave being granted I leave this place for Panchgani.

I have attached herewith a letter from The Resident medical officer, Bel-Air Sanatorium Panchgani.

I beg to remain,
Sir,
Your most obedient Servant,
[illegible]
Sub-government Pleader Hubli

Dated.
6-8-1947.

Submitted through the District Government Pleader Hubli Dharwar.

No. 484 of 1947
Office of the Public Prosecutor, Dharwar
& ex-officio Govt. Pleader
6th August, 1947.

F.W.Cs to the Collector for favour of sanction.

I understand that there are 3 Cr.Cases, 3 Civil Suits & 21 Darkhasts & Miscellanious matte

Criminal cases may be arranged for with the help of my Assts. It would be very costly to send the Asst.Govt.Pleader often from

Chairman for petty matters. Some local afrangment will have to be made immediately.

Dist.Govt.Pleader, Dharwar.

THE BEL-AIR SANATORIUM.
TELEGRAMS "BELAIR SANATORIUM"

DALKEITH,
PANCHGANI.

No. 12.

31st. July 1947.

From : Dr. F.C. da Cunha, M.B.B.S.,
Resident Medical Officer.

~~B.A.Peerzade, Pleader,~~
Mr. H.A.Khatib, B.A.
Belgaum,

Dear Sir,

We are in receipt of your letter, medical Certificate and X-ray Photo.

You may start for admission to the Sanatorium on receipt of this letter. We are reserving place for you from Tuesday the 5th. August 1947. In case you delay in coming, you'll have to pay fees from - 5-8-47.

Yours faithfully,

F.C. da Cunha
M.B.B.S.
Resident Medical Officer.

HCB.

19-12

Copy of Dist. Govt. Pleader's letter No.535 of 194
27th Ag.1947 to the Collector, Dharwar.

Sub:-Leave to Sub Government Pleader, Hubli.

With reference to your No.L.A.W. dated 14-8-1947,
the honour to report that during the leave period of M
Peerzade, Hubli, Mr. B.R.Mathad, B.A.LL.B., Pleader,
may please be appointed as Sub-Government Pleder, Hubli
aged about 35 and has put in a practice of 8 years at
I have been observing that he has cut a good figur
the Bar and is one of its rising members. I can confi
recommend that he is quite competent to hold the offi
Sub- Government Pleader, Hubli. I have discussed with
find that he is willing to take up the work.

The matter is urgent. It is prayed that early at
be paid to it."

.....

2\-125 73

Subject:-Leave to Mr. B.A.Peerzade Sub-Government Pleader, Hub

Letter.

No.L.A.W.353.
Dharwar, 2/9/1947.

To,

The Secretary to Government Legal Department,
Bombay.

Mr. B.A.Peerzade, who was appointed Subordinate-Government Pleader by Government in their Legal Department notification No.82-P dated 21-6-1946 has applied for 3 months leave on medical grounds. He has already proceeded on leave from 6-8-1947 in anticipation of sanction. The application of Mr.Peerzade along with the Medical certificate attached to it are enclosed herewith. Leave for 3 months with effect from 6-8-1947 may kindly be sanctioned to him.

The District Government Pleader, Dharwar states that some local arrangement is necessary during the leave period of Mr. Peerzade, as it would be very costly to depute the Sub-Government Pleader, Dharwar to Hubli. Besides there is likely-hood of the work being accumulated if no person is appointed to look to the Criminal and Civil cases at Hubli. It is therefore necessary to appoint a substitute in place of Mr. Peerzade. The Dist. Government Pleader recommends one Mr. B.R.-Mathad B.A.,LL.B. pleader, Hubli as a suitable man for the post. A copy of his letter is enclosed. In the circumstances mentioned by the District Government Pleader, I recommend that Mr. B.R.Mathad B.A.,LL.B. Pleader of Hubli may be appointed as subordinate Government Pleader, Hubli vice Mr. Peerzade, with effect from the date of his joining duties, till Mr. Peerzade resumes his duties.

for Collector of Dharwar.

a.2/9.

C. D
5 SEP 1947

10585 2
6-9-47
C

12775 L.D. 9
23 R.D.M. 10589
6-9-47.

Submitted.

2. These papers relate to the grant of leave to Mr. B.A. Peerjade, Sub. Govt. pleader, Hubli for three months on the grounds of ill health and the Hospital to fill up the leave vacancy.

3. The application and the proposal has not been received through the District Judge, Dharwar to whom it may be forwarded for his remarks in the first instance.

SW 10-9

Endorsement is put up for signature

Supdt. 12/9.

D.S. 8/12/9

25 129 843

Below Endorsement No. L.A.W. 343, dated the 2nd September 1947 from the Collector of Dharwar regarding grant of leave to the Subordinate Government Pleader, Hubli, with accompaniments.

No. 5-P-Conf.

Legal Department.
Bombay Castle, 13th September 1947.

Forwarded with compliments to the District Judge, Dharwar, for favour of remarks at a very early date.

for Secretary to Government,
Legal Department.

Ltd
14/i

No.
Dist.Court,Dharwar.
15th Sept. 1947.

Forwarded with compliments to the Civil Judge, S.Dn., Hubli, for his remarks at a very early date as the pleader is ~~working~~ practising in his Court. He should make his proposals if he finds that the pleader is getting good work appears to him to be suitable for selection.

11077
22-9-47

District Judge.

P.T.O.

Returned with Compliments to the District Judge. Dharwar.

I have not yet had much experience of Mr. Mathad's work to enable me to form any opinion as to his ability. However this appointment is only temporary & for a short period, & as the D. G. P. has recommended his name as to his ability, he may be appointed.

Hubli, Civil Court.
17.9.1947

D. N. Nanavati
17.9.1947
Civil Judge (S.D.)

No. 3600
District Court, Dharwar.
19th September 1947

Returned with compliments.

Mr. Mathad is practising in the Civil Court at Hubli. The Civil Judge, S.D., of that place was therefore consulted. He has no objection if Mr. Mathad is temporarily appointed as Sub-Government pleader. The District Judge therefore recommends that Mr. BrR.Mathad may be temporarily appointed as Sub-Government Pleader in the leave vacancy of Mr.Peerzade.

R. D. Shinde
District Judge.

Legal Department.

R.I.No. 11077, d/ 22-9.

Submitted.

2. These papers relate to the ~~appointment~~ application from Mr. B.A.Peerzade, Subordinate Government Pleader, Hubli, for three months' leave with effect from 6/8/47 and the proposals regarding arrangement during his leave period.

3. The District Government Pleader, Dharwar, through whom the application has been forwarded, states that there are 3 criminal cases, 3 civil suits and 21 Darkhasts and miscellaneous matters and adds that criminal cases may be arranged for with the help of Assistants. He further states that it would be very costly to send the A.G.P. often from Dharwar for petty matters. Some local arrangement will have to be made immediately. The Collector of Dharwar states that Mr. Peerzade was appointed S.G.P., Hubli by G.M., L.D. No. 82-P, d/ 21-6-46 and has now proceeded on leave for 3 months from 6-8-47 in anticipation of sanction. He recommends the grant of three months' leave with effect from 6-8-47. Upon the recommendation of the D.G.P., Dharwar the Collector states that Mr. B.A.Mathad, LL.B., may be appointed as S.G.P., Hubli vice Mr. Peerzade with effect from the date of his joining duties till Mr. Peerzade resumes his duties as otherwise there is likelihood of the work being accumilated if no person is appointed to look after the criminal and civil cases at Hubli and it is costly to send any A.P.P. or A.G.I. from Dharwar to conduct those cases. The District Judge, Dharwar states that he has no objection if Mr. Mathad is temporarily appointed as Sub. G.P., Hubli during leave vacancy as recommended by the ~~D.G.P.~~ Civil Judge.

For orders.

SW 22-9

Submitted. 26/9

D.S

Secy

D.S. Leave may be sanctioned to Mr. Peerzade and Mr. Mathad may be appointed in his leave vacancy. BSP 27/9.

Secy. 27/9

To be published in the next issue of the Bombay Government Gazette.

Ge GSP 29-33-85

For Secretary to Government.

No. 9777
Legal Department,
Bombay Castle, 7/4 October 1947.

NOTIFICATION.

Mr. B.A. Peerzade, LL.B., Subordinate Government Pleader, Hubli, in the Dharwar District, is granted leave for three months with effect from 6th August 1947.

2. The Governor of Bombay is pleased to appoint Mr. B.R. Mathad, LL.B., to officiate as Subordinate Government Pleader, Hubli, vice Mr. B.A. Peerzade, LL.B., with effect from the date on which he takes charge of the post.

By order of the Governor of Bombay,

Original Bra

[P.M. LAD.]

Secretary to Government,

No. 9778
Legal Department,
Bombay Castle, 7/10 October 1947

Copy forwarded with compliments for information to :-

The Collector of Dharwar,
The District Judge Dharwar,
The District Government Pleader, Dharwar,
Mr. B.A. Peerzade, LL.B. Subordinate Government Pleader, Hubli (on leave) C/o the Bel-Air Sanatorium, Balkeith, panchgani District Satara.
Mr. B.R. Mathad, LL.B. Pleader, Hubli.

By order of the Governor of Bombay,

Ge GSP

for Secretary to Government.

Dy
T/10 CC/1/10.

Submitted for approval & signature
SD 3-10
Supdt 4/10
D.S. GSP
Secy (for signature on the original)

issued
7/10

31-135-8772

From

B.R.Mathad, B.A.LL.B. Sub- Government Pleader, Hubli.

To

The Legal Remembrancer Government of Bombay,

Bombay.

Sir,

I have received the order dated 7-10-47 from the Legal Department Bombay to officiate as Sub-Government Pleader of Hubli, on 9-10-47. I have been looking to the work of the Sub-Government Pleader Hubli from 6-9-47 as per letter No. 555 of the District Government Pleader, with the approval of the Collector of Dharwar. I may be deemed to have taken charge from that date.

L. D. 2 3 OCT 1947

I beg to remain

Sir

Your obedient servant.

B R Mathad

Hubli

10-10-47.

Forwarded with complements through the District Government Pleader, Dharwar.

Office of the Dist. Govt. Pleader,

Dharwar.

No. 676 Dated. 16-10-47.

Forwarded with complements to the Remembrancer of Legal Affairs, Covernment of Bombay, for information.

District Government Pleader, Dharwar.

THE SECRETARY TO GOVERNMENT
LEGAL DEPARTMENT
File No. 12990
Sub No. C/28-10-47
Remarks

L.D.

R.S.No. 12990
28-10-47.

Submitted with pp for information.

The G.R. L.D. No. 9777, dt. 7-10-47 lays down that Mr. Mathad has been appointed to officiate as Sub. G.P. Hubli vice Mr. Peerzade with effect from the date he on which he takes charge of the post. As he is looking to the work of Sub. G.P. Hubli from 6-9-47 under orders from the Collector of Dharwar he is automatically appointed to officiate as Sub. G.P. Hubli from that date I hence no further action is necessary.

Filed in Apt Dwr/47

Sd/
28-10

Supdt 30/10

D.S 28/10 30/10

Apt Dwr/47
1/11/47

33137 99

Subject:-Leave to Mr. R.A. Pargade Sub-Govt. Pleader, Hubli.

Letter.

No.L.A.V.343.
Dharwar, 5/11/1947.

To

The Secretary to Government,
Legal Department, Bombay.

Ref:-Your notification No.9777 dated the 7th October 1947.

x P.17 Slip under Apt-Ewr/47

Mr. R.A. Pargade LL.B., Sub-Government Pleader, Hubli who has been granted leave for 3 months with effect from 6th August 1947 has again submitted an application stating that he is still under treatment; and that he wants leave for 3 months more. His application alongwith the Dist. Government Pleader's remarks thereon is enclosed herewith.

I recommend that the leave granted to Mr. Pargade may be extended by 3 months more and the existing acting arrangement may be ordered to be continued.

L. D. 10 NOV 1947 C

THE SECRETARY TO GOVERNMENT DEPARTMENT 13570 C 10-11-47

Collector of Dharwar.

a.5/11.

35 93 47
139

To,

The Remembrance, Legal Affairs,
Secretariat Bombay.

Sir,

I was granted three months' leave (ref. No. 9777 dated 7-10-1947); my leave expires on 6th of November 1947. I am still under treatment for T.B. in the "Bel-Air" sanatorium Panchgani. Hence I pray that my leave may kindly be extended for a further period of three months more.

The doctor's ~~certificate~~ is attached herewith.

I beg to remain,
Sir
Your most obedient servant,
B.A. Peerzade
Sub-Govt Pleader
Hubli

Dated 21-10-1947

Address
B.A. Peerzade,
Pleader, Patient
in "Bel-Air" Sanatorium
Panchgani.

Submitted ~~through~~ to the Collector, Dharwar,
through the Dist. Government Pleader Dharwar.

In 567
Read on
23/10/47
D.G.P.

Office of the Dist. Govt. Pleader,
Dharwar.
No-687 Dated. 23-10-47.

Forwarded with complements through the Collector Dharwar for sanction.

27 OCT 1947

District Government Pleader

No.

Dharwar —10—46

F. & C. The Remembrancer, Legal Affairs

Bombay.

A. D. C. Dharwar.

1946

E. O.

THE BEL-AIR SANATORIUM.
TELEGRAMS:- "BELAIR SANATORIUM"

NO. Cert 149.

DALKEITH,
PANCHGANI.

20th. October 1947.

This is to certify that Mr. B.A.Peerzade is an in-patient of this Institution admitted on 26-8-47. He is making satisfactory progress, but it is advisable that he should continue here for three months more for further - treatment and consolidation of the - improvement made.

H. S. Rewbar

Regd.No. 5966
Resident Medical Officer.

HCB.

39 L43 44 · L.D. 7
R.D. No. 13570
16-11-47.

submitted with pp.

2. These papers relate to the grant of extension of leave to Mr. B.A. Peeryade, Sub Govt. pleader, Hubli, for three months on the ground of ill health and the proposal to continue the existing arrangement.

3. The application and the proposal has not been received through the District Judge, Dharwar to whom it may be forwarded for his remarks in the first instance as per endorsement put up for signature.

SLP 16-11 — It does not seem necessary to consult the D.J. He is already on leave and an extension of leave for three months may be sanctioned if the present arrangement continued

Supdt 15/11

D.S — D.S. Yes, 8 3P A'

D.S Sec — Seen 17/11

To be published in the next issue of the Bombay Government Gazette.

For Secretary to Government.

+=+=+=+=+=+=+=+=+=+

No. 11193

Legal Department,

Bombay Castle, 25th November 1947.

NOTIFICATION.

The leave granted to Mr. B.A. Peerzade, LL.B., Subordinate Government Pleader, Hubli, in the Dharwar District, By Government Notification, Legal Department, No. 9777, dated the 7th October 1947, has been extended for three months with effect from 6th November 1947.

2. The Governor of Bombay is pleased to appoint Mr. B. R. Nathad, LL.B., to officiate as Subordinate Government Pleader, Hubli, for a further period of three months with effect from 6th November 1947, vice Mr. B. A. Perzade, LL.B., on leave.

By order of the Governor of Bombay

Original [P. M. Lad,]

Secretary to Government.

X-X-X-X-X-X

No. 11194

Legal Department,

Bombay Castle, 25th November 1947.

Copy forwarded with compliments for information to:-

The Collector of Dharwar,
The District Judge, Dharwar,
The District Government Pleader, Dharwar,
Mr. B. A. Perzade, LL.B., Subordinate Government Pleader, Hubli (on leave) C/o the Bel-Air Sanitorium Dalkeith, Panchagani, District Satara,
Mr. B. R. Nathad, LL. B., Officiating Subordinate Government Pleader, Hubli.

Submitted for approval & signature

By order of the Governor of Bombay,

For Secretary to Government.

Kc. 20.11.

Submitted as above
File in Apt. Dwr. 47

Sec
26-11

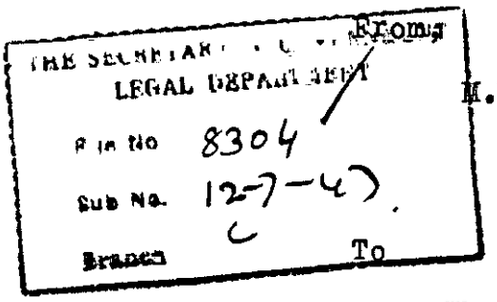
Supdt 26/11

A-S.
27/11/47

Apt. Dwr 47

28/11

Registered A.D. 43/BF-147



From

M.M.Jamadar,Esquire,
B.A.LL.B.,
1st Assistant Public Prosecutor,
Dharwar.

To

The Remembrancer of Legal Affairs to the
Government of Bombay,
Bombay.

F.2(7)
Apt Dist/46.

Sir,

I, the undersigned beg to state as under:-

I am in receipt of the reply No.1809 dated 22nd February 1947 of the Government of Bombay to my representation to the Hon'ble Prime Minister made on 26th October 1946.

In my said reprsentation, among other things, my first prayer was to reconsider my case and remedy the wrong done to me in the matter of the appointment to the Post of the Public Prosecutor,Dharwar and my second prayer was to apprise me of the grounds on which my fair and just claims were so very lightly brushed aside. Som far the 1st prayer is - concerned, the Government have refused to modify the order already passed and with regard to the 2nd prayer the Government have unfortunately chosen to remain silent.

The Government is aware that all along, I had based my claims on the grounds of my seniority, merit and vast - experience and never on communal grounds, although no Muslim has held this post up till now in the whole of Karnatak. I always hoped that my case would never suffer at the hands of the popular ministery and it would positively recognize my long services for an unbroken period of about 17 years as the 1st Assistant Public Prosecutor. But to my great - surprise, the events have proved that I was quite wrong in my expectations. I have now every reason to feel that I have been unjustly victimised on the score of my being a Muslim. Hence, my conscience and self respect do not permit me to work any longer in my present capacity under the sense of

P.T.O.

injustice and humiliation.

In the circumstances mentioned above, the only proper and honourable course left open to me is to tender my - resignation to my present post under protest and which I hereby do.

I beg to remain,
Sir,
Your obedient servant,

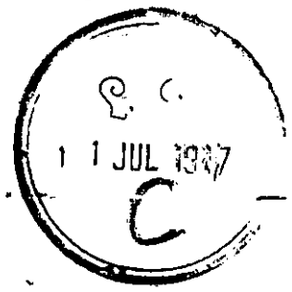
Dharwar
8th July 1947.

1st Assistant Public Prosecutor,
Dharwar.

Copies respectfully forwarded to:-

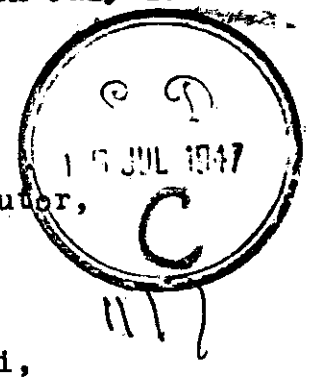
1) The Hon'ble Mr.B.G.Kher,
Prime Minister, Government of Bombay.

2) The Hon'ble Mr.Dinakar-rao Desai,
Minister for Law, Government of Bombay.

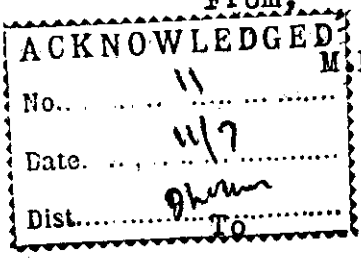


Registered A.D.

Dharwar.
8th July 1947.



From,

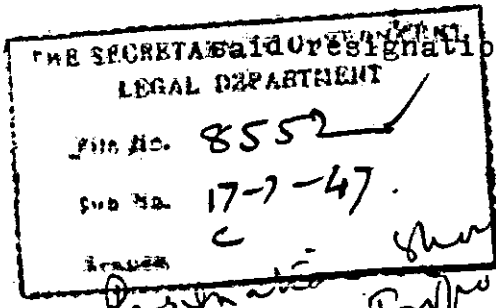


M.M.Jamadar,Esquire,
B.A.LL.B.,
1st Assistant Public Prosecutor,
Dharwar.

The Hon'ble Mr.Dinakar-rao Desai,
Minister for Law,
Government of Bombay.

Sir,

As the Government have not granted my request to reconsider my case and have chosen to remain silent regarding my request to apprise me of the grounds on which my just and fair claims were superseded, I have tendered my resignation under protest and I am herewith enclosing a copy of my said resignation for your kind information.



Your obedient servant,

1st Assistant Public Prosecutor,
Dharwar.

Resignation accepted. Thanked him for offering his services. Asked for explanation 16/7 DW RSA

Registered A.D. 47-45 107

From,

M.M.Jamadar,Esquire,
B.A.LL.B.,
1st Assistant Public Prosecutor,
Dharwar.

To

The Remembrancer of Legal Affairs to the
Government of Bombay,
Bombay.

Sir,

I, the undersigned beg to state as under:-

I am in receipt of the reply No.1809 dated 22nd February 1947 of the Government of Bombay to my representation to the Hon'ble Prime Minister made on 26th October 1946.

In my said representation, among other things, my first prayer was to reconsider my case and remedy the wrong done to me in the matter of the appointment to the Post of the Public Prosecutor, Dharwar and my second prayer was to apprise me of the grounds on which my fair and just claims were so very lightly brushed aside. So far the 1st prayer is concerned, the Government have refused to modify the order already passed and with regard to the 2nd prayer the Government have unfortunately chosen to remain silent.

The Government is aware that all along, I had based my claims on the grounds of my seniority, merit and vast experience and never on communal grounds, although no Muslim has held this post up till now in the whole of Karnatak. I always hoped that my case would never suffer at the hands of ~~the popular ministery~~ and it would positively recognize my long services for an unbroken period of about 17 years as the 1st Assistant Public Prosecutor. But to my great surprise, the events have proved that I was quite wrong in my expectations. I have now every reason to feel that I have been unjustly victimised on the score of my being a Muslim. Hence, my conscience and self respect do not permit me to work any longer in my present capacity under the sense of

P.T.O.

injustice and humiliation.

In the circumstances mentioned above the only proper and honourable course left open to me is to tender my resignation to my present post under protest and which I hereby do.

I beg to remain,
Sir,
Your obedient servant,

Dharwar)
8th July 1947.)

1st Assistant Public Prosecutor,
Dharwar.

Copies respectfully forwarded to:-

1) The Hon'ble Mr.B.G.Kher,
Prime Minister,Government of Bombay.

2) The Hon'ble Mr.Dinakar-rao Desai,
Minister for Law,Government of Bombay.

R.D No. 8304/125, 8552/171, 8428/157/47

1097

49 to 55

Sent with pp.

2. Mr. M. M. Jamadar 1st A.P.P. Dharwar, who was granted extension of leave for 6 months vide G.N.C.D. No 1807, dt 22-2-47 states in his letter at page 1 ante that he had made the following prayers in his representation: -

(1) To reconsider his case in the matter of the appointment to the post of the Public Prosecutor, Dharwar, and

(2) To appraise him of the grounds on which his fair and just claims were so very lightly brushed aside.

× pl see p. 267 of Com. Apts Dhs/46

He says as far as the first prayer was concerned Govt. has refused to modify the orders already passed and as regards the 2nd prayer the Govt. has remained silent. He states that he had based his claim all along on the grounds of seniority, merit and vast experience and never on communal grounds and he had a belief that he would never suffer at the hands of a popular ministry. He adds that events have proved otherwise and therefore his conscience does not permit him to work any longer in this capacity as 1st Asstt. P.P. under the sense of humiliation & injustice. Under the circumstances he tenders his resignation under protest. He has forwarded the copies of his letter to the H.P.M., and H.M.(L).

3. The position was fully explained in office note dt 16.1.47 when the Govt. orders were obtained & Mr. Jamadar was informed that Govt. has carefully considered his representation and did not consider it necessary to modify the orders already passed.

= pl see p. 269 ante Slip C

4. The copy of the representation referred to in para 2 above was sent by Mr Jamadar to The H.M.(L). The H.M.(L) has passed orders § thereon that resignation should be accepted and proposals for appointment

§ pl see p 3 ante

should be called for. Mr. Inamdar may be informed that his resignation has been accepted. A copy of that Memo may be forwarded to the D.M. Dharwar who should be requested to submit proposals through D.A.S. Judge, to fill up the post of 1st A.P.P. Dharwar. A draft is put up for approval & signature

D.P.P.
28.7.47

S.S. 29/7.

D.S.) A.L. & R.E. 30/7

Secy. 1/8

No.7968/5 /III

Legal Department,

Bombay Castle, ~~1st July~~ August 1947.

MEMORANDUM.

With reference to his letter dated the 8th July 1947, tendering resignation of the post of 1st Assistant Public Prosecutor, Dharwar, Mr.M.M.Jamadar, is informed that the same has been accepted.

By order of the Governor of Bombay,

OS, DR.

For Secretary to Government.

To

M.M.Jamadar,Esq.,B.A.,LL.B.,
Pleader, Dharwar.

29/7

Copies to:-

The District Magistrate,Dharwar,with a request to submit proposals through the Distt.& Sessions Judge,Dharwar,to fill up the ~~first~~ post of 1st Asstt.Public Prosecutor,Dharwar,~~at~~ an after taking into consideration the claims of any Muslim, non-Brahmin or Backward class pleader, if available,at an early date.

The District & Sessions Judge, Dharwar,

The District Government Pleader & Public Prosecutor, Dharwar.

Issued 1/8

MRP.
29/7.

15/- H7 R. 9. No. 8428 15-7-47 H3

53

Submitted.

2. Please see linked case. In view of the noting therein Mr. Patil's application may be passed on to the D.M. Dharwar for consideration along with other applications.

DB
28/7/47

S.S. 29/7

D.S. R.I.R. Dt. 30/7

+54-45 — 13 55

Below application dated 11-7-1947 from Mr.R.M.Patil, LL.B., for the appointment as 1st Assistant Public Prosecutor, Dharwar.

No. 7969
Legal Department, ~~August~~
Bombay Castle, 1st ~~July~~ 1947.

Forwarded with compliments to the District Magistrate, Dharwar, in continuation of this Department endorsement No. 7968, dated the 1st ~~July~~ August 1947, for consideration along with other applications.

Issued
1.8.

O.C.

For Secretary to Government.

MRP.
29/7.

29/7.

8/7

Subd. after issue
Avoid proposals from the DM.
Tell 17-8-47.

DPG
28-47

I think, Subh-
mukherjee
should
write also
in such
cases

S.S. 2/8

P.A. DPG 2/8

— 57

Letter.

Subject:-Appointment of 1st Assistant Public Prosecutor, Vice Mr.M.M.Jamadar resigned ...

Confl —

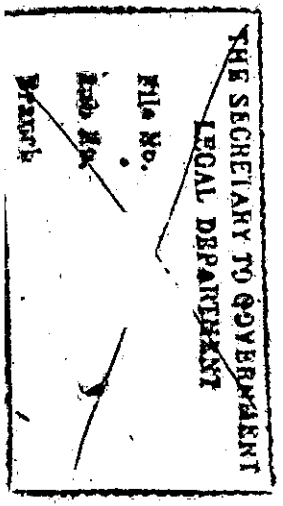
....

No.M.A.G.S.R.2
Dharwar, /8/1947.

To

The Secretary to Government,
Legal Department, Bombay.

Ref:-Your memo No.7968 of 1-8-1947.



My predecessor had recommended Mr. B.C.Javali Pleader Dharwar, to be appointed as 1st Assistant Public Prosecutor in the leave vacancy of Mr.M.M.Jamadar in his letters No.M.A.G.S.R.-2 dated 17/8/1946, and 23/8/1946. Government however, appointed Mr.R.M. Patil in the leave vacancy of Mr.M.M.Jamadar. It appears that Government is satisfied that he is the best candidate and he may be continued. The application of Mr.R.M.Patil received under your No.7969 dated 1-8-1947 is returned herewith.

District Magistrate, Dharwar.

Through the District Judge, Dharwar w.c.s.

No. 3160

Sessions Court, Dharwar.

13th August 1947.

Forwarded with compliments to the Secretary to Govt, Legal Department, Bombay.

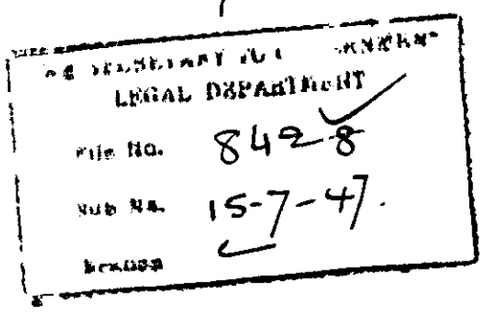
The Sessions Judge supports the proposal of the District Magistrate.

R.D. Hunde
Sessions Judge.

I

282-Conf
(21-8-47)

~~163~~ ~~49~~ 12
59



To

The Secretary
to the Government,
Legal Department,
Bombay Province,
Bombay.

Sir,

I, Ramanagouda Marigouda Patil of Dharwar, humbly beg to submit as under :-

I was appointed as 1st Assistant to the Public Prosecutor Dharwar on 11-11-1946, during the leave period granted to Mr. M.M.Jamadar from 10-8-1946 to 10-1-1947. Thereafter I was continued in his place from 10-1-1947 to 10-7-1947. Being given to under that Mr. M.M. Jamadar has submitted his resignation, I pray that the Government will be pleased to appoint me in his place, if his resignation is accepted.

As regards my qualifications for the post, I need not reiterate as the same was mentioned in my previous application dated 16-8-1946.

Hoping that the Government will be pleased to appoint me in the permanent vacancy caused by the resignation of Mr. M.M.Jamadar.

Dharwar. -)
)
11th July 1947.(

I am
Sir,
Your most obedient servant.

R. M. Patil
Pleader

R.I.No.282-Confl./21-8-47. 61

Submitted with pp.

2. These papers relate to the appointment of 1st Assistant Public Prosecutor,Dharwar vice Mr.M.M.Jamadar resigned.

3. The District Magistrate,Dharwar to whom the application of Mr.R.M.Patil was forwarded states that his predecessor had recommended Mr.S.C.Javali,Pleader, Dharwar for appointment as 1st Assistant Public Prosecutor,Dharwar in the leave vacancy of Mr.M.M. Jamadar and that Government had appointed Mr.R.M.Patil in the said leave vacancy. He further states that Government is satisfied that Mr.Patil is the best candidate and that he may be continued. The District Judge (Sessions) supports the recommendation of the District Magistrate.

4. Attention in this connection is invited to H.M.(T.'s) minute dated 30-10-46 agreed to by H.P.M. and H.E. appointing Mr.R.M.Patil as 1st Assistant Public Prosecutor in the leave vacancy of Mr.Jamadar who has now resigned. The local officers report on the work of Mr.R.M.Patil who was officiating as 1st Assistant Public Prosecutor vice Mr.M.M.Jamadar is put up below(slip N).

27/8/47

S.S. 27/8

D.S. I had myself an opportunity of seeing Mr. Patil's work as A.P.P in a number of sessions cases which he conducted before me when I was an Addl. Sessions Judge at Dharwar and I formed his work quite

Satisfactory

Mr. Patil may be appointed with vacancy term usual period.

22/8

Sorry I agree

28/8

368-Cdl
28-8-47

A.M. (L) OMW 29/8

HPM.

10/9/47

To be published in the next issue of the Bombay Government Gazette.

O.C. 839

For Secretary to Government.

No. 9441

Legal Department,
Bombay Castle, 24th September 1947.

NOTIFICATION.

The Governor of Bombay is pleased to appoint Mr.R.M.Patil, LL.B., under section 492(1) of the Code of Criminal Procedure, 1898, to be 1st Assistant Public Prosecutor, Dharwar, for a period of three years with effect from the date of taking over charge of the post. The appointment is subject to the conditions of service laid down in the Bombay Law Officers (Conditions of Service) Rules, 1939.

By order of the Governor of Bombay,

Original

[P.M.LAD,]
Secretary to Government.

No. 9442
Legal Department,
Bombay Castle, 24th September 1947.

Copy forwarded with compliments for information to:-

The District Magistrate, Dharwar (with a request to forward the particulars of Mr.R.M.Patil,LL.B., in the appended form).
The District and Sessions Judge, Dharwar.
The District Government Pleader and Public Prosecutor, Dharwar.
Mr. R.M.Patil, LL.B., Pleader, Dharwar.

Submitted for signature

By order of the Governor of Bombay,

20/9

D.S

Secy. (for signature on the original)

O.C. 839

For Secretary to Government.

MRP. 20/9.

65 T 24 169

L. T.
17 NOV 1947
Q

Subject: Appointment Ist Assistant Public Prosecutor.

No. MAG. Dharwar, 14/11/1947

To

The Secretary to Government,
Legal Department, Bombay.

13800
C/ 18-11-47

Reference: Your No.9441 dated 24/9/1947

The particulars of Mr.R.M.Patil are sent herewith in the appended form as desired.

Addl.Dist.Magistrate, Dharwar.

Accompaniment

1. Full name : Ramangouda Mrigouda Patil.
2. Date of birth: 17/9/1909.
3. Regligion: Hindu.
4. Caste and sub caste : Raddi.
5. Mother tongue. Kannada.
6. Home of family: Wasan Petha Nargund district Dharwar.
7. Qualifications withdates showing when acquired: LL.B. February 1938.
8. ~~Date of commencement of practice 18/3/38.~~ ... nil.
9. Date of commencement of prattice: 18/3/38.
10. Date of taking over charge: 18/11/1946.

L. D.

R. 9. M. 13800
18-11-47

Submitted.

Necessary History-sheet is prepared and put up herewith.* No further action is necessary and the papers may be filed in Apt Dwr/47.

*at slip 'A' below.

SW
18-11

Supdt. 18/11

D.S. 18/11

Apt Dwr/47)

18.11.47)